

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Stephen Tabah

Serial No.: 10/789,741

Filed: February 27, 2004

For: Flush Valve Toilet

REFUND REQUEST FOR EXTENSION OF TIME FEE

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

Applicant respectfully requests a credit of \$490.00 which was overcharged in filing a Response to a Notice of Missing Parts for the above-identified patent application.

The Credit Card Form submitted with the Response to Notice of Missing Parts, copy attached, authorized a charge of \$773 including a \$490 for a three month extension of time fee, a surcharge fee of \$65 and \$130 fee for filing a Non-English Specification. An additional charge of \$490 was made to Deposit Account No. 50-2828 as evidenced by the attached statement.

Please credit Deposit Account No. 50-2828 with the amount of \$490.00 to cover this overcharge.

Should you have any questions or require anything further please contact applicant's attorney at the address indicated below.

Respectfully submitted,
Stephen Tabah

By:

Jack Schwartz
Reg. No. 34,721

Jack Schwartz & Associates
1350 Broadway, Suite 1510
New York, NY 10018-7702
(212) 971-0416
Dated: December 9, 2004

PTO/SB/17 (10-04v2)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL

for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 773.00)

Complete If Known

Application Number	10/789,741
Filing Date	February 27, 2004
First Named Inventor	Paul Boisvertq
Examiner Name	N/A
Art Unit	N/A
Attorney Docket No.	P2146US

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

 Deposit Account:

50-2828
Jack Schwartz

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
	4		-20** = 2 - 3** = 2	x 88 = 88	88

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 88	2204 44	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ 88.00)		

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	65.00
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	130.00
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	490.00
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to Institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,370	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3) (\$ 685.00)			

(Complete if applicable)

Name (Print/Type)	Jack J. Schwartz	Registration No. (Attorney/Agent)	34,721	Telephone	212-971-0416
Signature		Date	October 25, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Deposit Account Statement

Requested Statement Month: November 2004
Deposit Account Number: 502828
Name: JACK SCHWARTZ & ASSOCIATES
Attention: JACK SCHWARTZ
Address: 1350 BROADWAY
City: NEW YORK
State: NY
Zip: 10018

DATE SEQ	REF	POSTING ATTORNEY	DOCKET	FEE CODE	AMT	BAL
SEQ	TXT		NBR			
11/17	271	10514136	1031-18	1613	\$30.00	\$1,964.00
11/23	202	29170548	1030-10	1502	\$10.00	\$1,954.00
11/24	17	10789741	P2146US	2253	\$490.00	\$1,464.00

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
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Jack Schwartz & Associates

1350 Broadway, Suite 1510

New York, New York

10018-7702

TELEFAX TRANSMITTAL

December 9, 2004

To: USPTOFax #: (703) 308-5077From: Jack SchwartzFax #: (212) 971-0417**Re: Request for Corrected Registration Certificate****CONFIDENTIALITY STATEMENT**

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10/789,741

P2146US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paul Boisvert

Serial No.: 10/789,741

Filed : February 27, 2004

For : Flash Valve

Examiner: N/A

Art Unit: N/A

**PRELIMINARY AMENDMENT IN SATISFACTION
OF THE NOTICE OF MISSING PARTS**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Missing Parts dated May 25, 2004, for which a two month period ending July 25, 2004, for which a three month extension ending on October 25, 2004 is respectfully requested, please consider the following comments and remarks and amend the application as indicated.

Enclosed is a authorization to charge a credit card in the amount of seven hundred and seventy three dollars (\$773.00). This authorization includes the fee of four hundred and ninety dollars (\$490.00) as required by 37 CFR 1.17(a)(3) for the requested three month extension along with the sixty five dollar (\$65.00) surcharge for the late declaration and the one hundred and thirty dollars (\$130.00) for the English language translation surcharge. Additionally, the surcharge of eighty-eight dollars (\$88.00) for two independent claim in excess of three is also to be charged to the credit card.

Amendments to the Title begin on page 2;

Amendments to the Abstract begin on page 3;

Amendments to the Drawings begin on page 4;

Amendments to the Specification begin on page 5;

Listing/Amendments to the Claims begin on page 6; and

Remarks begin on page 7.

1/28/2004 WASFAW1 00000045 10789741

FC:2253

490.00 DP

Adjustment date: 01/24/2005 SDIRETAL
11/24/2004 MNNGUYEN 00000013 502828 10789741
01 FC:2253 490.00 CR

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